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and Lead Counsel for the Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID STERRETT, Individually and on Behalf of All Others Similarly Situated.

Plaintiff,  
v.

SONIM TECHNOLOGIES, INC., ROBERT PLASCHKE, JAMES WALKER, MAURICE HOCHSCHILD, ALAN HOWE, KENNY YOUNG, SUSAN G. SWENSON, JOHN KNEUER, JEFFREY D. JOHNSON, OPPENHEIMER & CO., INC., LAKE STREET CAPITAL MARKETS, LLC, and NATIONAL SECURITIES CORPORATION.

## Defendants.

Case No. 3:19-cv-06416-MMC

## **CLASS ACTION**

~~PROPOSED~~ DISTRIBUTION ORDER

1        THIS MATTER having come before the Court on the motion of Lead Plaintiff David  
2 Sterrett for approval of distribution of the Net Settlement Fund to Authorized Claimants; the  
3 Settlement having reached its Effective Date; and the Court having considered the papers filed  
4 and proceedings had herein;

5        NOW, THEREFORE, IT IS HEREBY ORDERED:

6        1.        Unless otherwise defined, all terms used herein have the same meanings as set  
7 forth in the Stipulation of Settlement, dated September 10, 2020 (the “Stipulation”) (ECF No.  
8 75).

9        2.        The motion is granted in its entirety and the Court approves the administrative  
10 determinations of RG/2 Claims Administration LLC (“RG/2”), the Court appointed Claims  
11 Administrator, in accepting and rejecting the Proof of Claim and Release forms (“Claim Forms”  
12 or “Claims”).

13        3.        The Net Settlement Fund established by the settlement of the above-captioned  
14 action (the “Action”) shall be distributed to Authorized Claimants according to RG/2’s  
15 determinations and consistent with the Stipulation and Plan of Allocation of the Net Settlement  
16 Fund previously approved by this Court on March 5, 2021.

17        4.        Pursuant to RG/2’s administrative determinations accepting valid claims that  
18 were postmarked or received by February 3, 2021, which are set forth in Exhibit A of the  
19 Declaration of Tina Chiang in Support of Motion For Distribution of the Net Settlement Fund  
20 (“Distribution Declaration” or “Distrib. Decl.”), and accepting otherwise valid claims that were  
21 postmarked or received after the February 3, 2021 claims-submission deadline but received on  
22 or before October 18, 2021, which are set forth in Exhibit B of the Distribution Declaration, are  
23 approved and the claimants set forth in Exhibits A and B may receive distributions  
24 accepted and may receive distribution from the Net Settlement Fund in the initial distribution  
and any subsequent distributions as set forth in the Distribution Declaration.

25        5.        RG/2’s administrative determinations rejecting the ineligible or otherwise  
26 deficient Claims, which are set forth in Exhibit C of the Distribution Declaration, are approved.  
27 Such claims may not receive any distributions from the Settlement Fund.

1       6. Any Claims or responses to deficiencies that are received after October 18, 2021  
 2 are hereby rejected as untimely and shall not be accepted.

3       7. If any funds remain in the Net Settlement Fund after the initial distribution, and  
 4 RG/2 has made reasonable and diligent efforts to have Authorized Claimants who are entitled to  
 5 participate in the distribution of the Net Settlement Fund cash their distribution checks, Lead  
 6 Counsel, in consultation with RG/2, will determine whether it is feasible to conduct a second  
 7 distribution of the Net Settlement Fund. If a second distribution is determined to be feasible,  
 8 the balance will be redistributed on a *pro rata* basis among Authorized Claimants who cashed  
 9 their initial distribution checks and would receive at least \$10.00 in the redistribution after  
 10 payment of the estimated costs, expenses, and fees incurred in administering the Net Settlement  
 11 Fund and in making this second distribution. Such redistributions may occur thereafter, if  
 12 economically feasible, until the balance remaining in the Net Settlement Fund is *de minimis*.  
 13 Any *de minimis* balance that still remains in the Net Settlement Fund after such reallocation(s),  
 14 which is not feasible or economical to reallocate among Authorized Claimants, shall be donated  
 15 to the Investor Protection Trust in accordance with ¶5.7 of the Stipulation.

16       8. RG/2 shall be paid the sum of \$7,947 from the Settlement Fund for the  
 17 outstanding fees and expenses it incurred in connection with administering the Settlement and  
 18 estimates it will incur in conducting the initial distribution of the Net Settlement Fund.

19       9. RG/2 may destroy paper copies of the Claim Forms and all supporting  
 20 documentation one (1) year after the initial distribution of the Net Settlement Fund and  
 21 electronic copies of the same three (3) years after the final distribution of the Net Settlement  
 22 Fund.

23       10. All persons involved in the review, verification, calculation, tabulation, or any  
 24 other aspect of the processing of the Claims submitted in this matter, or otherwise involved in  
 25 the administration or taxation of the Settlement Fund, including Lead Plaintiff, Lead Counsel,  
 26 RG/2, and the Escrow Agent, are hereby released and discharged from any and all claims  
 27 arising out of such involvement, and any further claims against the Net Settlement Fund are  
 28 barred beyond the amount allocated to Authorized Claimants pursuant to this Order.

1       11. The Court retains jurisdiction to consider any further applications concerning the  
2 administration of the Settlement, and such other and further relief as this Court deems  
3 appropriate.

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5       IT IS SO ORDERED.

6 Dated: November 17, 2021

  
Hon. Maxine M. Chesney  
United States District Court Judge

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